

REMARKS

This Amendment is in response to the Office Action of September 21, 2007 in which the Examiner rejected claims 1, 2 and 6-12 as allegedly anticipated by Day publication 126. Claims 3-5 are rejected over Day in view of Helger patent 374 and Stanchfield patent 920.

The Examiner's rejection is respectfully traversed for the reasons set forth below.

Applicants have amended claims 1 and 11 to clarify the claim language by changing the modifier of the formation at the other end of the body. In the claim as amended, there is provided --a formation providing a connector portion at the other end for snap fit engagement with the bottom of the bore in a multi well plate--. This arrangement is believed to obviate the Examiner's rejection.

The Examiner seems to be equating the bottom end cap 13 in Day as providing a "snap-fit connector portion" because it is suggested as being a snap-fit on to the reduced diameter end region 12 of the tube 10. However, this is not the purpose or the functioning of the claimed snap-fit connector portion which is intended to snap-fit engage in the bottom of the bore. Applicants note that it is not suggested in Day that the indentation 22 on the rim of the cap (see Figure 4 only) fulfills the same function. It is believed that the rewritten claim language where it reads "a formation providing a connector portion at the other end for snap-fit engagement with the bottom of a bore in a multi-well plate" moves the words "snap-fit" within that last phrase to better clarify the meaning and structure claimed.

Applicants believe that the language presented more clearly differentiates the invention from the cited art. In particular the applicants assert that the difference between the invention and the cited art is that the connector portion at the bottom of the tube is for snap fit into the bottom of the bore in a multi-well plate. The claimed structure is not the attachment of the connector portion to the bottom of the tube proper as in Day, which shows a label chamber which is snap-fit to the tube. In the invention the connector portion may be snap fit at the other end for engagement with the bottom of a bore in a multi-well plate. In other words, the snap fit is not to secure the tip to the tube, but is to engage a corresponding part in a multi-well plate into which the tip is engaged. This function is not disclosed or suggested in Day.

In view of the foregoing, it is respectfully requested that the Examiner reconsider his rejection of the claims, the allowance of which is earnestly solicited.

If additional fees are required, the Director is authorized to charge Deposit Account 504147 or credit any overpayment there to.

Respectfully submitted,

John P. De Luca

/John P. De Luca/

Registration No. 25,505

Attorney for Applicant

John P. De Luca
17420 Ryefield Ct.
Dickerson, MD 20842
301 349 2899
jpd@jpdip.net